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Settlement with New Cingular Wireless to Resolve Violations of Community Right-to-Know Law

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WASHINGTON – The U.S. Environmental Protection Agency (EPA) today announced an agreement with New Cingular Wireless to resolve violations of the Emergency Planning and Community Right-to-Know Act (EPCRA). New Cingular Wireless voluntarily disclosed reporting violations to EPA, which related to the presence of sulfuric acid, diesel, and lead at 642 cellular facilities in 35 states and Puerto Rico, after performing a comprehensive audit of their operations. EPCRA requires facilities to report information about the chemicals and hazardous materials they have onsite to ensure that local emergency planners have the information they need to protect people's health in the event of a release or emergency.

New Cingular Wireless was created in October 2004 through the merger of AT&T Wireless and Cingular Wireless PCS, LLC. This settlement concerns violations occurring at legacy Cingular Wireless sites from 2001 to 2003 and at New Cingular Wireless sites from October 2004 to 2006, specifically, violations at cellular sites, transmitter sites, switching stations, and warehouses. All of the violations disclosed by the company have been corrected, and the company has made improvements to its battery inventory, recordkeeping and management systems to prevent the reoccurrence of these violations.

Since EPA reached its first audit policy settlement with a telecommunications company in 1998, nearly 40 telecommunications businesses have disclosed EPCRA violations. In doing so, they have enhanced facility and emergency response personnel's capabilities to react to hazardous chemical emergencies at nearly 5,000 facilities. The audit policy provides incentives to companies that voluntarily discover, promptly disclose, and expeditiously correct environmental violations. The companies must also take steps to prevent future violations. EPA may reduce or waive penalties for certain violations if the facility meets the conditions of the policy.

Under the settlement, New Cingular Wireless will pay a civil penalty of $125,728.

More information about the settlement: https://www.epa.gov/compliance/resources/cases/civil/mm/ncw.html

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